

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EMMANUEL CHAPLAIN,

Defendant.

8:14-CR-409

ORDER

On November 1, 2023, the Office of the Federal Public Defender was appointed to represent Emmanuel Chaplain to determine whether he qualified for relief pursuant to either the 2023 U.S. Sentencing Guidelines amendment of U.S.S.G. § 1B1.13 or U.S.S.G. § 1B1.10. [Filing 540](#). Chaplain’s counsel subsequently filed a motion seeking relief on this basis, and entered into a stipulation with counsel for the Government regarding the agreed upon relief they believed to be appropriate. [Filing 555](#); [Filing 556](#). The parties and the United States Probation Office submitted that Chaplain was eligible for relief because retroactive application of Amendment 821 to the United States Sentencing Guidelines reduced his criminal history category from IV down to III. [Filing 555](#); [Filing 557](#). Consistent with their motion and stipulation, the Court reduced Chaplain’s sentence pursuant to 18 U.S.C. § 3582(c)(2). [Filing 562](#). That Order was entered on April 8, 2024. [Filing 562](#).

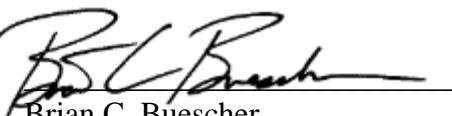
On June 13, 2024, this Court received a *pro se* submission from Chaplain seeking clarification as to why he “received a new sentence” in April of 2024. [Filing 565](#). Specifically, Chaplain questions whether the sentence reduction dealt with the underlying factual nature of his counts of conviction and if they amounted to crimes of violence. [Filing 565 at 1](#). As explained above, that is not why he received a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2). To

the extent Chaplain has any questions regarding his sentence reduction, Chaplain should direct these questions to the counsel who represented him on that matter—not the Court. The Court further concludes that the Defendant made no motion in [Filing 565](#) that requires a ruling from the Court. Accordingly,

IT IS ORDERED: The Clerk's Office shall provide a copy of [Filing 565](#) to the Office of the Federal Public Defender.

Dated this 17th day of June 2024.

BY THE COURT:



Brian C. Buescher
United States District Judge